

REMARKS

Reconsideration and allowance of this application are respectfully requested. Claims 2 and 4 have been editorially amended. New claims 5 and 6 have been added. Support for the claim amendments is found in the specification in at least paragraphs [0007], [0017] and [0057]-[0059] and FIG. 10. Claims 1 and 3 have been canceled. Claims 2 and 4-6 are now pending in the application. The rejections are respectfully submitted to be obviated in view of the amendments and remarks presented herein.

Claim Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 1-4 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Applicants have canceled claims 1 and 3. Applicants have also editorially amended claims 2 and 4 to more clearly recite the relation of the height of the electrodes with “H.” Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are respectfully requested.

Claim Rejection Under 35 U.S.C. § 102(b)

Claims 1 and 2 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Yakushiji et al. (U.S. Patent Application Publication No. US 2005/0001810; hereinafter “Yakushiji”).

The Examiner asserts that Yakushiji allegedly discloses all of the elements of claims 1 and 2. Claim 1 has been canceled.

Regarding claim 2, an information display device comprises:

an information display panel, in which at least one group of particles are sealed in a plurality of cells formed by partition walls between the opposed substrates, at least

one of two substrates being transparent, and, in which the particles, to which an electrostatic field is applied by utilizing electrodes arranged to the substrates respectively, are made to move so as to display information such as an image, characterized in that, when D is assumed to be a particle diameter of the particles and H is assumed to be a height of the electrodes, the following relation is satisfied: $D \geq 2H$, and, that a metal foil is laminated to a surface of the substrate opposed to a surface to which the electrode is arranged.

Yakushiji discloses an image displaying device, in which particles are used for displaying images. The structure of Yakushiji's image displaying device includes an electrode having a thickness "preferable to be 3 to 1000 nm, more preferable to be 5 to 400 nm" (paragraph [0258]). Furthermore, Yakushiji's average particle diameter "is preferable to be 0.1 to 50 μm , particularly to be 1 to 30 μm " (paragraph [0227]).

The Examiner alleges that "regarding the electrode being laminated to the substrate the method of making the device is not germane to the patentability of the device itself therefore the [claim] limitation that the electrode is laminated is not given patentable weight" (page 2 of the Office Action). However, claim 2 recites "that a metal foil is laminated to a surface of the substrate opposed to a surface to which the electrode is arranged" (emphasis added). Although the Examiner considers a lamination of an electrode to a substrate to be a method of making a device, claim 2 recites a particular structure in which a metal foil is laminated to a surface of the fairly substrate opposed to a surface to which the electrode is arranged. Yakushiji does not teach or fairly suggest a "metal foil [which] is laminated to a surface of the substrate opposed to a surface to which the electrode is arranged," as recited by claim 2. As such, claim 2 is distinguished over Yakushiji for at least the aforementioned reasons.

Newly Added Claims

Claims 5 and 6 are newly added by this Amendment. Claims 5 and 6 are also distinguished over the cited references, either alone or in combination, based at least in view of their dependencies as well as for their additionally recited elements. In particular, Yakushiji is silent on, and thus fails to teach or fairly suggest, “a resist film which is laminated to the surface of the substrate opposed to the surface to which the electrode is arranged,” as recited by each of claims 5 and 6. No such resist film is ever mentioned in Yakushiji.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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